

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 191

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H.P. 154

House of Representatives, January 17, 2019

### **An Act To Protect Heating Fuel Customers Who Close Their Accounts**

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Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HYMANSON of York.  
Cosponsored by Senator LAWRENCE of York and  
Representatives: FECTIONEAU of Biddeford, HOBBS of Wells.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 10 MRSA c. 233** is enacted to read:

3 **CHAPTER 233**

4 **REIMBURSEMENT FOR RECOVERED HEATING FUEL**

5 **§1500-O. Reimbursement for recovered heating fuel**

6 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the  
7 following terms have the following meanings.

8 A. "Dealer" means an entity engaged in the sale and delivery of heating fuel.

9 B. "Heating fuel" means home heating oil, kerosene or liquefied petroleum gas.

10 **2. Reimbursement required.** A dealer shall reimburse a customer for any heating  
11 fuel recovered from the customer upon the closing of the customer's account not later  
12 than 30 days after the fuel is recovered. The rate of reimbursement is the lesser of the  
13 price per gallon paid by the customer for the recovered fuel and the retail price per gallon  
14 at the time the fuel is recovered.

15 **3. Unfair trade practice.** A dealer that fails to comply with any provision of this  
16 section commits an unfair and deceptive act that is a violation of the Maine Unfair Trade  
17 Practices Act.

18 **SUMMARY**

19 This bill requires dealers of heating fuel to reimburse customers within 30 days for  
20 any fuel recovered following the closing of their accounts and makes failure to do so a  
21 violation of the Maine Unfair Trade Practices Act.